

MINUTES

Tennessee Board of Examiners for Land Surveyors

The Tennessee Board of Examiners for Land Surveyors met on Thursday, September 14, 2006 and Friday, September 15, 2006 at 9:00 am in Room 212 of the Davy Crockett Tower, 500 James Robertson Parkway, Nashville, TN.

THURSDAY, SEPTEMBER 14, 2006 –

Those present were: David Mathews, Chairman; Sue Braly, Vice-Chairman; Jackie Dillehay, Board Member; David Cagle, Board Member; Lauren Kitchell, Attorney for the Board; and Donna Moulder, Administrative Director for the board. Frances Smith, Complaint Coordinator, was also present for the complaints presentation.

James Pack, Complainant and Lewis Buck of the United States Department of Agriculture, Farm Services Agency, were also present.

David Mathews called the meeting to order at 9:00 a.m.

After reviewing the minutes of the previous meeting, Jackie Dillehay made a motion to approve the minutes as written and to adopt the agenda for this meeting. Sue Braly seconded the motion. The motion carried unanimously.

COMPLAINT REVIEW:

Lauren Kitchell, Staff Attorney, the presented the following complaints for review:

Complaint #200600202 – David Cagle made a motion to hold this matter until the court matter is settled. Jackie Dillehay seconded the motion. There being no further discussion, the motion carried unanimously.

Complaint #200600640 – Based on the fact that no violations of the Tennessee land surveyors laws were found, Sue Braly made a motion to dismiss and close this complaint. David Cagle seconded the motion. There being no further discussion, the motion carried unanimously.

Complaint #200601376 – Sue Braly made a motion to table this complaint until the pending lawsuit is settled. David Cagle seconded the motion. There being no further discussion, the motion carried unanimously.

Complaint #200601599 – Based on the fact that a settlement had been reached between the complainants and respondent, Sue Braly made a motion to dismiss this complaint. Jackie Dillehay seconded the motion. There being no further discussion, the motion carried unanimously.

Complaint #200602398 – Based on the fact that no violations were found, Jackie Dillehay made a motion to close and dismiss this complaint. David Cagle seconded the motion. There being no further discussion, the motion carried unanimously.

Complaint #200603092 – Sue Braly made a motion to close this complaint with a Letter of Warning. David Cagle seconded the motion. There being no further discussion, the motion carried unanimously.

Complaint #200602476 – Based on the fact that no violations were found, David Cagle made a motion to dismiss this complaint. Jackie Dillehay seconded the motion. There being no further discussion, the motion carried unanimously.

Complaint #200419460 – Sue Braly made a motion to close this complaint. David Cagle seconded the complaint. There being no further discussion, the motion carried unanimously.

Complaint #200602223 - Based on the fact that no violations were found, Jackie Dillehay made a motion to dismiss this complaint. Sue Braly seconded the motion. There being no further discussion, the motion carried unanimously.

Complaint #200601825 - Based on the fact that no violations were found, Jackie Dillehay made a motion to dismiss this complaint. David Cagle seconded the motion. There being no further discussion, the motion carried unanimously.

Complaint #200503836 and Complaint #200420789 – Jackie Dillehay made a motion to close and flag this complaint. David Cagle seconded the motion. There being no further discussion, the motion carried unanimously.

Complaint #200603252 Based on the fact there is no evidence to support the complaint's allegations; Sue Braly made a motion to dismiss this complaint. Jackie Dillehay seconded the motion. There being no further discussion, the motion carried unanimously.

Complaint #200603301 – Based on the fact that the respondent has finished the survey to the complainant's satisfaction and the fact that the complainant sent in a written request to withdraw the complaint, Sue Braly made a motion to dismiss the complaint. David Cagle seconded the motion. There being no further discussion, the motion carried unanimously.

NEW BUSINESS:

Terry Smith – Reapplication due to expired status – Applicant is not in good standing. He did not pay the application fee nor has he paid the \$25,000.00 penalty fee assessed by the board in January 2005. If Mr. Smith pays the application fee, then the application can be reviewed by the board.

Applications for the October 2006 were then reviewed.

The following applications were approved:

Thomas Wiley Griffey
Samuel Hale (PSLIT)
James Robert Cooley (PLSIT)
Jonathan Hoffman (PLSIT)
Timothy Johnson (PLSIT)
Collin J. Moyers (PLSIT)
Anthony Richmond
John Andrews III
Dax Pugh
Michael Josh Henry
Patrick Haggard
James Anspaugh
Robert Parks
Scott Grusenmeyer
Charles Stuart

The following applications were denied:

Christopher Clay
Paul Menz
Jason Martin
Bruce Hulsart

FRIDAY, SEPTEMBER 15, 2006 –

Those present were: David Mathews, Chairman; Sue Braly, Vice-Chairman; Jackie Dillehay, Board Member; David Cagle, Board Member; and Donna Moulder, Administrative Director for the board.

David Mathews, Chairman of the board, called the meeting to order at 8:55 a.m.

Wall certificates were signed.

The following meeting dates were scheduled:

- January 18-19, 2007 – meeting date rescheduled for January 25-26, 2007
- March 15, 2007 – Review applications only
- June 14-15, 2007
- September 13-14, 2007

The board will no longer review transcripts on a case by case basis. The transcripts will be reviewed when an application is submitted.

The board discussed accepting electronic seals and it was determined that signatures must be original.

Jackie Dillehay then discussed a company by the name of Coast2Coast Surveying. Sue Braly made a motion to open a complaint against Coast2Coast Survey for alleged unlicensed practice. Jackie Dillehay seconded the motion. The motion carried unanimously.

Frank Thurston met with the board concerning his application for licensure. Mr. Thurston's license expired on December 31, 1993 and per TCA 62-18-114(c), Mr. Thurston has reapplied. After reviewing Mr. Thurston's application, Jackie Dillehay made a motion that upon completion and approval of 30 PDHs, Mr. Thurston's license can be reinstated. David Cagle seconded the motion. There being no further discussion, the motion carried unanimously.

There being no further business, the meeting was adjourned at 2:30 p.m.

Respectfully submitted,

Donna Moulder
Administrative Director

David Mathews, Chairman

Sue Braly, Vice-Chairman

Jackie Dillehay

David Cagle